



09-28-04

3673#

Attorney's Docket No.: 17601-003010

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph A. Zupanick  
Serial No. : 10/761,629  
Filed : January 20, 2004  
Title : METHOD AND SYSTEM FOR ACCESSING SUBTERRANEAN DEPOSITS  
FROM THE SURFACE

Art Unit : 3673  
Examiner : John J. Kreck

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), CDX Gas, L.L.C., a Texas corporation, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of:

☐ An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_ on \_\_\_\_\_, or a copy thereof is attached.

☒ A chain of title from the inventors of the patent application identified above, to the current assignee as shown below:

1. From Joseph A. Zupanick to CDX Gas, L.L.C. The document was recorded on April 3, 2000 in the Patent and Trademark Office at Reel 010656, Frame 0378, or a copy thereof is attached.

2. From U.S. Steel Mining Company, L.L.C. to CDX Gas, L.L.C. The document was recorded on August 21, 2001 in the Patent and Trademark Office at Reel 012097, Frame 0449, or a copy thereof is attached.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

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CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV538765948US9-21-2004  
Date of Deposit

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent Nos. 6,425,448; 6,732,792; 6,679,322; 6,598,686; and 6,561,288, whereby the patent granted on this application and U.S. Patent Nos. 6,425,448; 6,732,792; 6,679,322; 6,598,686; and 6,561,288 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent Nos. 6,425,448; 6,732,792; 6,679,322; 6,598,686; and 6,561,288.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent Nos. 6,425,448; 6,732,792; 6,679,322; 6,598,686; and 6,561,288 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent Nos. 6,425,448; 6,732,792; 6,679,322; 6,598,686; and 6,561,288.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

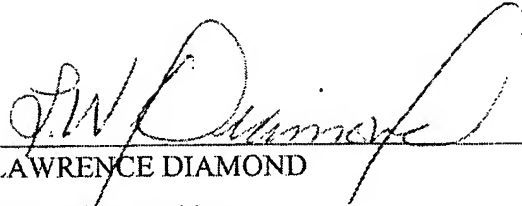
Enclosed is a check for \$110 for the required fee pursuant to 37 CFR §1.20(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Date: 16 Sept. 2004

  
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